

# HOUSE . . . . . No. 2123

By Mr. Toomey of Cambridge, petition of Timothy J. Toomey, Jr.  
and others relative to child passenger safety. Transportation.

## The Commonwealth of Massachusetts

### PETITION OF:

Timothy J. Toomey, Jr.	Frank I. Smizik
Patricia D. Jehlen	James B. Leary
Christopher G. Fallon	David B. Sullivan
Ruth B. Balser	Christopher J. Donelan
Richard T. Moore	Elizabeth A. Malia
Lida E. Harkins	John W. Scibak

In the Year Two Thousand and Five.

### AN ACT RELATIVE TO CHILD PASSENGER SAFETY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of Chapter 90 of the General Laws, as  
2 appearing in the 2002 Official Edition, is hereby amended in  
3 lines 331 to 335 by striking out the definition of “Child passenger  
4 restraint” and inserting in place thereof the following definition:—  
5 “Child passenger restraint”, a specifically designed seating  
6 system which meets the U.S. Department of Transportation Fed-  
7 eral Motor Vehicle Safety Standards as established in 49 C.F.R.  
8 571.213 which is either permanently affixed to a motor vehicle or  
9 is affixed to such vehicle by a safety belt or a universal attach-  
10 ment system.

1 SECTION 2. Section 7AA of Chapter 90 of the General Laws,  
2 as so appearing, is hereby amended by striking out paragraphs 1  
3 and 2 and inserting in place thereof the following new paragraphs:—  
4 No child under the age of eight and no child measuring less  
5 than 57 inches in height shall ride as a passenger in a motor  
6 vehicle on any way unless such child is properly fastened and

7 secured, according to the manufacturer's instructions, by a child  
8 passenger restraint as defined in section one.

9 No child who is not required to be properly fastened by a child  
10 passenger restraint as required by the preceding paragraph, but  
11 who is not older than twelve years of age, shall ride as a passenger  
12 in a motor vehicle on any way unless such child is wearing a  
13 safety belt which is properly adjusted and fastened according to  
14 the manufacturer's instructions.